



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: October 18, 2016

AGENDA TITLE: Update on progress regarding Hillard Heintze recommendations concerning police practices.

PRESENTER/S

Jane S. Brautigam, City Manager
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EXECUTIVE SUMMARY

In February of 2016, Hillard Heintze, a strategic advisory firm specializing in independent reviews of federal, state and local law enforcement agencies, provided its report to Council in regard to their independent review of select areas of the Boulder Police Department's operations. The Hillard Heintze report provided 12 recommendations highlighting the most important opportunities for the City of Boulder and the Police Department to address in order to improve the quality of policing services, enhance relationships with Boulder citizen and communities, increase transparency and build a stronger foundation for sustainable public trust. Since that time, the Police Department has made significant progress on these recommendations and is committed to providing periodic updates to Council and the community. The purpose of this memo is to provide a short summary of the work accomplished on each of the recommendations since the last update to Council on July 19, 2016.

Recommendation #1: Adopt New Policy and Procedures for Data Collection During Traffic Stops

The Police Department is currently in the process of replacing the records management system and signed a contract with SunGard, a records management system (RMS) vendor, on March 30, 2016. SunGard's system includes a data collection module. Staff has been continuously working with SunGard on the development and implementation of the RMS. The estimated go-live target date is the second quarter of 2017. This delay is due to several factors including software bugs discovered during testing that have not been fully resolved by the vendor; an important software release due out the first part of December, and performance concerns with the vendor's project manager. We requested that the vendor replace the project manager and we began working with the new manager the week of October 10th. Data collection can occur once the RMS is fully operational. Policy determination and staff training will be completed prior to use of the RMS.

Staff is continuing to research how officers will ascertain race and ethnicity from persons contacted. Procedural options include the officer making an independent assessment during the contact; asking the person contacted how they identify; or a combination of both. Council had earlier stated that race/ethnicity should be determined based on the officer's perception and observations. Our research of other agency practices shows that most defer to the officer's observations. Some have the officer ask when unsure. A few prohibit officers from asking the person his or her race/ethnicity. There is no one best practice.

During the September 29 community meeting to discuss the progress of the Hillard Heintze recommendations, many of the participants suggested that we record both the officer's perception of the subject's race/ethnicity, and the subject's identification of his or her race/ethnicity. However, this approach is not feasible with the RMS system as the data collection module will only record one field for race and one field for ethnicity. Also, this approach would require the officer to ask the subject how they identify which can be sensitive and uncomfortable.

After considering all of the input, staff's recommendation is for officers to use the combined approach of determining race/ethnicity based on their observations and asking the individual when unsure and when appropriate given the context of the contact, in an effort to collect the most accurate data.

Recommendation #2: Conduct a Comprehensive Review of the Field Interview Process

Staff believes that field interview cards are valuable in documenting information that may be used for investigating criminal activity. Reviews of our current department policy and practices has occurred with draft revisions in process, based on national best practice, and with a goal of fair, impartial and consistent application and documentation of data. SunGard's field interview module is part of the larger RMS system, which is being implemented.

Recommendation #3: Capture Stop-Related Information from Citizens

Staff developed a quarterly random survey instrument to gather feedback from individuals stopped and contacted by officers. A second quarter 2016 survey was completed, which consisted of 100 mailed postcard/letters and 50 telephone calls conducted by a community volunteer. We received 19 responses (5 via mail, 14 via telephone). In general, no concerns in regard to the officer contact were noted. Rather, questions about procedures such as where to pull over, and comments about the ticket received were noted. Additionally, the process is being evaluated for adjustments to future surveys to get a larger response.

Recommendation #4: Revise BPD Policy on the Use of Race as a Proxy for Criminality

Department policy had been revised based on Hillard Heintze's recommendation and state statute.

Recommendation #5: Make Police Ethics and Accountability a Key Public Message

The department website has been updated to be more intuitive and to more efficiently provide information, including programs, services, community engagement, Department and Professional Standards annual reports and the complete department policy manual. Key information is available in Spanish and the entire webpage can be electronically translated into multiple languages.

Staff continues to refine our means of communicating with the Boulder community, including the University of Colorado. Community engagement continues to be a priority and focus for our department. The department is developing a Neighborhood Policing Area program where officers are assigned smaller geographical areas, within a larger policing district, to engage and work with community members to prevent crime and solve problems. This concept will be tested in two police districts before a larger implementation occurs. Website information will include area maps with contact information of the officers assigned to specific geographical areas.

Staff is also developing a new process for reporting complaints, to include the opportunity to report complaints at the City Manager's Office and Human Services Office of Human Rights. Information will be available in English and Spanish in hardcopy form, electronically on websites and disseminated to community stakeholders.

Recommendation #6: Keep Website Complaint-Filing Instructions Up-to-Date and Recommendation #7: Consider Providing More PSRP-Related Information on the Website

The department website has been updated to facilitate dissemination of information. The Professional Standards department policy, in PDF form, is posted on the website.

Complaint forms are available in both English and Spanish, in hardcopy and in electronic copy on the website. Additionally, the entire website can be translated into multiple languages. The website includes specific information in the form of frequently asked questions:

- What happens when I file a complaint?
- What if I am afraid to make a report?
- What do the results of an investigation mean?
- How to commend an employee or file a complaint about an employee.
- Information about the Professional Standards Review Panel and a photograph of panel members.
- Videos which provide general information on the Professional Standards Review Panel and the council study session on the Hillard Heintze report and recommendations.

Staff will continue to look for ways to provide enhanced information on the website, and available to the public, to facilitate understanding of the complaint process for a diverse group of readers. The process to allow for complaints to be received at the City Manager's Office, Human Services Office of Human Rights in addition to the police department is being finalized.

Recommendation #8: Solicit Public and Private Partners in “Getting the Message Out”

Staff continues to work on this recommendation, in addition to the Police Department's expanded focus on social media and community engagement. In addition to sending information to individual stakeholders and Spanish speaking media outlets, staff has collaborated with Human Services to send key information to over 400 individual and group emails. The Police Department has expanded its outreach on social media and continues to focus on community engagement, including;

- Police Department employees and city staff participate in annual Special Olympics fund raisers, such as the Torch Run, Polar Bear plunge, Tip a Cop and other events to raise money for Special Olympics. The department was awarded the Special Olympics Law Enforcement Agency of the Year on October 13th at a ceremony in Denver.
- Police Department employees and city staff participated in National Night Out on August 2nd and met and talked with an estimated 450-500 residents. National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make neighborhoods safer, better places to live.
- Staff teamed up with Boulder Parks and Recreation Department to celebrate good behavior through a new program called Boulder Stars. A Boulder Star can be redeemed for one free day pass to any of the city's recreation centers, pools or the Boulder Reservoir. A parent or guardian can accompany a child under the age of 12 at no cost. The program was developed as a way for officers to connect with younger members in our community in a non-law enforcement situation and establish rapport.

- Each year the Boulder Police Department offers a Citizens' Police Academy to promote cooperation, education, and understanding of police operations and an opportunity to talk directly with all levels of law enforcement.
- The Department sponsors a Safety First class for adults and teens living with cognitive or developmental disabilities. The program curriculum covers decision-making skills related to using public transportation, home security, fire safety and the proper way to contact police.
- Every summer the department hosts a free two-week Youth Academy for teenagers between the ages of 14 and 18 years old who are interested in learning more about the work police officers do.
- An Explorer program is offered as an educational program for young adults between the ages of 16-21 with an interest in law enforcement.
- Code Enforcement attends Resident Advisor academy every year to educate CU students on city regulations that affect quality of life.
- Staff collaborated with homeless service providers and homeless advocates and met over the spring and summer to discuss and gather input on the development of the two officer Homeless Outreach Team.
- Two children from Boulder had the opportunity to participate in a weeklong fly fishing camp thanks to sponsorship by the Boulder Police Department. The boys learned the basics in the classroom and then took those lessons to multiple rivers, where they landed a couple catches. Staff partnered with the Parks and Recreation Department who selected the kids and Human Services paid for the fishing gear so that the kids may continue to fish.
- The Police Department and the CU Athletic Department collaborated for a second year on a day long training with the CU football team. Players got the chance to experience police training situations. The goal is to build a better relationship between the police department and the athletes and expose them to what a police officer may face on the street every day.
- The Department hosted its annual soccer event as a way to build community through police officers playing soccer with youth. The Department partners with the Football Club of Boulder and South Mouth Wings and had over 100 people participate in the event.
- Each year we partner with the CU Police Department and play softball with student athletes.
- Officers participated in the summer youth program with the Family Learning Center.
- Officers participated in a church BBQ and neighborhood get-together at the Second Baptist Church.

Recommendation #9: Cast a Wide Net in Announcing Upcoming PSRP Vacancies

Staff is finalizing changes to the selection of community members of the PSRP. The City Manager's Office will manage the selection of community members who are appointed to the PSRP. City staff will announce upcoming vacancies to the PSRP through the use of several means, to include social media, press releases, and continue to focus on robust messaging to all communities within our city, including Spanish speaking.

Recommendation #10: Consider Creating a Community Advisory Panel

Staff has explored best practices and researched other police departments' policies on community advisory panels. Staff is finalizing the community advisory panel policy. Next steps include community messaging to inform and solicit interest in applying to be a member of the panel, and selection of panel members.

Additionally, on Sept. 29, the department hosted a community meeting to give community members the opportunity chance to hear more about each of the Hillard Heintze recommendations, actions the Police Department has taken already and the process or next steps associated with others. Attendees had an opportunity to provide input and have questions answered. Approximately 50 community members attended.

Recommendation #11: Expand Training on Critical Policing Concepts

All employees of the Police Department participated in cultural awareness and implicit bias training presented by an outside trainer. Newly hired officers continue to receive training on these topics from Intercambio. Officers recently completed de-escalation training, which is on-going training. In addition to other mandated training officers receive, our focus continues to be on scenario based decision making training with an emphasis on de-escalation. Police Department training staff will continue to explore new ways to enhance department-wide training on the concepts of bias-free policing, implicit bias, procedural justice, and constitutional-based policing, as well as other contemporary training topics.

Recommendation #12: Leverage the PSRP in Other Areas

PSRP members receive information on all complaints handled as Class two investigations, including the disposition. PSRP members may review completed investigations and provide comment to the Chief of Police. PSRP members received copies of the Hillard Heintze report, recommendations and updated information on the Hillard Heintze process. Members also receive copies of the department annual report, and the PSU annual report. Incumbent community members of the PSRP will be included in the City Manager's interview process to select new PSRP members. Community members have access to an on-line national law enforcement training venue, subscribed to by the department. Staff continues to explore training opportunities for PSRP members.

